

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

JAMES LOWREY, individually, in his capacity as
general partner of Turtle Cay Partners, in his capacity
as personal representative of the Estate of Marianne
Lowrey, in his capacity as trustee for the Marianne B.
Lowrey Trust, and in his capacity as successor partner
of Coldbrook Associates,

Defendant.

Adv. Pro. No. 10-04387 (SMB)

STIPULATION FOR ENTRY OF SCHEDULING ORDER

WHEREAS, Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, and defendant James Lowrey (“Defendant, and together with the Trustee, the “Parties”), by and through their respective counsel, and consistent with the authorization provided

by the Court at the January 25, 2017 pretrial conference permitting the Parties to file summary judgment motions pursuant to Local Bankruptcy Rule 7056, met and conferred regarding the following schedule.

IT IS THEREFORE MUTUALLY AGREED AND STIPULATED, by and between the Trustee and Defendant as follows:

1. The deadline for the Parties to file a joint statement of undisputed facts is March 10, 2017.
2. The deadline for the Parties to file their respective Motions for Summary Judgment (the “Motions”) will be 45 days after the Court approves the joint statement of undisputed facts.
3. The deadline for the Parties to file oppositions to the Motions will be 45 days after the deadline for filing the Motions.
4. The deadline for the Parties to file replies to the oppositions to the Motions will be 30 days after the deadline for filing oppositions to the Motions.
5. Oral argument on the Motions will be heard on a date to be set by the Court.
6. Except as expressly set forth herein, the parties to this Stipulation reserve all rights and defenses they may have, and no rights or defenses are waived by entering into this Stipulation.

Dated: January 25, 2017
New York, New York

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Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities
LLC and the Estate of Bernard L. Madoff*

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SO ORDERED this 26th day of January, 2017.

/s/ STUART M. BERNSTEIN
HONORABLE STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE